

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

J.M.E.N.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C22-5777 RSM

**ORDER GRANTING MOTION TO  
REOPEN CASE**

This matter comes before the Court on Plaintiff's motion to reopen case. Dkt. 7. Plaintiff's Complaint seeking review of the Commissioner's decision denying social security benefits was filed on October 14, 2022. Dkt. 3. By March 7, 2023, Plaintiff still had not served Defendant, prompting the Court to issue an order directing Plaintiff to file proof of service on Defendant no later than March 21, 2023, or to show cause as to why this case should not be dismissed. Dkt. 5. In its order, the Court advised that Plaintiff's failure to comply may result in the dismissal of this case. *Id.* at 2. After Plaintiff failed to effectuate service and respond to the Court's order, the Court dismissed this case without prejudice on March 24, 2023. Dkt. 6. Plaintiff filed the instant motion on March 27, 2023, explaining that "[t]his case was among a group of cases in which service was prevented due to a technical error." Dkt. 7 at 1. Plaintiff also filed an Affidavit of Service along with the motion. Dkt. 7-1.

The Court will grant Plaintiff's motion, but advises that any further and unreasonable delay may result in the dismissal of this case with prejudice, as the Court makes great efforts to

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1 ensure that Social Security cases are resolved in a timely fashion. Accordingly, it is hereby

2 ORDERED:

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- The Court reopens this case.
  - 4 • The Court accepts Plaintiff's Affidavit of Service.
  - 5 • Defendant shall file a certified copy of the Administrative Record and any affirmative
  - 6 defenses within 60 days of the date of this order.

7 DATED this 28<sup>th</sup> day of March, 2023.

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11 RICARDO S. MARTINEZ  
12 UNITED STATES DISTRICT JUDGE  
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